

30221. Wheat. (F.D.C. No. 51423. S. No. 10-121 B.)

QUANTITY: 99,000 lbs. at Spokane, Wash.

SHIPPED: 5-7-65, from Geraldine, Mont., by Greeley Elevator Co.

LIBELED: 5-25-65, E. Dist. Wash.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 5-28-65. Consent—claimed by Greeley Elevator Co., and denatured for use as animal feed.

30222. Wheat. (F.D.C. No. 49315. S. No. 35-661 X.)

QUANTITY: 120,000 lbs. at Duluth, Minn.

SHIPPED: 8-23-63, from Linton, N. Dak., by Farmers Union Grain Terminal Association.

LIBELED: 9-16-63, Dist. Minn.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, a mercurial compound, which was unsafe within the meaning of 408(a), since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on wheat had been prescribed by regulations.

DISPOSITION: 9-24-63. Consent—claimed by Farmers Union Grain Terminal Association, St. Paul, Minn., and reconditioned.

30223. Wheat. (F.D.C. No. 49283. S. Nos. 33-168 X, 34-210 X.)

QUANTITY: 90,000 lbs. at Superior, Wis.

SHIPPED: 7-25-63, from Drake, N. Dak., by Drake Farmers Elevator.

LIBELED: 8-23-63, W. Dist. Wis.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and contained a pesticide chemical, a mercurial compound, which was unsafe within the meaning of 408(a), since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on wheat had been prescribed by regulations.

DISPOSITION: 9-9-63. Consent—claimed by Drake Farmers Elevator Co. Reconditioned; 32,450 lbs. segregated as unfit and destroyed.

30224. Wheat. (F.D.C. No. 51469. S. No. 10-133 B.)

QUANTITY: 118,320 lbs. at Spokane, Wash.

SHIPPED: 7-19-65, from McClusky, N. Dak., by Cooperative Elevator of McClusky.

LIBELED: 8-3-65, E. Dist. Wash.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 8-9-65. Consent—claimed by Cooperative Elevator of McClusky, and denatured for use as animal feed.

30225. Wheat. (F.D.C. No. 51447. S. No. 91-820 B.)

QUANTITY: 120,000 lbs. at Detroit, Mich.

SHIPPED: 6-17-65, from Sedamsville, Ohio, by Early & Daniels Co.

LIBELED: 6-25-65, E. Dist. Mich.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: On or about 7-14-65. Consent—claimed by the Early & Daniels Co., Inc., Cincinnati, Ohio, and converted to animal feed.

30226. Wheat. (F.D.C. No. 51462. S. No. 10-129 B.)

QUANTITY: 118,200 lbs. at Spokane, Wash.

SHIPPED: 7-16-65, from Meriweather, Mont., by Montana Wheat Growers, Inc.

LIBELED: 7-22-65, E. Dist. Wash.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 8-4-65. Consent—claimed by Atwood Larson Co., Portland, Oreg., and denatured for use as animal feed.

30227. Wheat. (F.D.C. No. 51459. S. No. 10-127 B.)

QUANTITY: 111,030 lbs. at Spokane, Wash.

SHIPPED: 7-7-65, from Ashley, N. Dak., by Farmers Feed Co.

LIBELED: 7-19-65, E. Dist. Wash.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 7-22-65. Consent—claimed by Bunge Corp., New York, N.Y., and denatured for use as animal feed.

30228. Wheat. (F.D.C. No. 51468. S. No. 10-135 B.)

QUANTITY: 110,400 lbs. at Spokane, Wash.

SHIPPED: 7-21-65, from Tuttle, N. Dak., by Tuttle Farmers Elevator.

LIBELED: 8-3-65, E. Dist. Wash.

CHARGE: 402(a)(3)—contained rodent excreta pellets when shipped.

DISPOSITION: 8-12-65. Consent—claimed by Bunge Corp., New York, N.Y., and denatured for use as animal feed.

30229. Oats. (Inj. No. 503.)

COMPLAINT FOR INJUNCTION FILED: 1-26-65, Dist. S. Dak., against Farmers Cooperative Elevator Co., a corporation, Revillo, S. Dak., Henry Hennings, president, and Ellsworth C. Johnson, manager.

CHARGE: The complaint alleged that the defendants were engaged in operating at Revillo, S. Dak., a grain storage facility which included 3 crib-type upright structures, 20 butler-type steel bins, and a quonset-type flat-storage building constructed of corrugated metal sheeting for the storage and distribution of oats for human consumption; and had been and were then introducing and causing to be introduced and delivering and causing to be delivered for introduction into interstate commerce, such food which was adulterated within the meaning of 402(a)(3) and 402(a)(4).

The complaint alleged further that the food had been and was then being held at the defendants' grain storage facility at Revillo, S. Dak., under insanitary conditions whereby it might have been rendered injurious to health as a result of the careless use of a rodenticide and whereby it might have become contaminated with filth, and that such food consisted in part of a filthy substance by reason of the presence of live and dead mice, rodent excreta, and bird droppings in the food, thereby rendering it adulterated within the meaning of 402(a)(3) and 402(a)(4).

The complaint alleged also that the insanitary conditions of the defendants' grain storage facility at Revillo, S. Dak., resulted from and consisted of the